

REMARKS

Initially, applicant would like to thank Examiner Nguyen for the helpful and courteous telephonic interview he conducted with one of applicant's representatives on 3 November 2005, in conjunction with the present application and the Office Action of 20 September 2005. Applicant also would like to thank Examiner for providing valuable comments on features of the claimed invention.

Upon entry of the present amendment, Amendment-A, claims 1-20 are pending in the present application, of which claims 1, 13, and 16 are independent. New claims 13-20 have been added to further define additional aspects of the invention.

The above-identified Office Action has been reviewed, the applied references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment-A is submitted. It is contended that by the present amendment, all bases of objection and rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the objection and rejection is respectfully requested.

Amendments

In the interest of expediting prosecution of the application, applicant has amended claims 1-7, 11 and 12 by the present amendment.

Claim 1 has been amended to further and more particularly define the subject matter which applicant regards as the present invention. Particularly, claim 1 has been amended herein to further define that the remote control unit having an electronic transmitter for transmitting the release signal including a specific ID; and that a remote control unit holder provided with the motorcycle, said holder having an elongated slit which holds and encloses at least half of the elongated portion of the remote control unit therein.

Claim 2 has been amended to further define the remote control unit holder is adapted to

securely receive at least half portion of the remote control unit therein such that the remote control unit does not fall out of the holder during travel.

Claims 3, 6 and 11 have been amended for consistency. Claim 12 has been amended to correct a typographical error and for consistency.

Claim 4 has been amended to define engagement between the fitting part and the cutout assists to securely maintain the remote control unit in the remote control unit holder while the motorcycle is running.

Claim 5 has been amended to define the electronic transmitter further includes a seat opening button for transmitting a seat opening signal having a specific ID to the controller and the controller permits opening of a seat of the motorcycle when the specific ID included in the seat opening signal coincides with a pre-registered ID.

Claim 7 has been amended to further define that the anti-theft device in a motorcycle according of claim 1 further includes an instrument panel and the remote control unit holder is disposed on a front portion of the instrument panel.

Specification (paragraphs [0004], [0005], [0031], [0032], [0043] and [0044]) has been amended to overcome informalities and to provide antecedent basis for the amended claim language.

Applicant respectfully submits that the above amendments are fully supported by the original disclosure including drawings. For example, in relation to claims 1 as shown in Fig. 3 and detailed in paragraph 0031 of the specification of the present application, the remote control unit holder 24 (hereinafter also called a holder) is configured so that a remote control unit A (hereinafter also called a remote control key or a remote control) may be inserted and held. The remote control unit holder 24 is in a shape of an elongated slit into/from which more than half of an elongated portion of the remote control key A, generally having an elongated shape, is

inserted/extracted, as shown in Fig. 3, for example.

New independent claims 13 and 16 are similar to claim 1 – except that in claim 13, a remote control unit holder having an elongated recess for securely retaining the remote control unit therein, and the holder disposed on the motorcycle; and the remote control unit holder restrains the remote control unit therein without requiring additional means for immobilizing the remote control unit when placed therein; and in claim 17, a handle bar locking module having a remote control unit holder; a detection switch; a main switch; a handlebar locking actuator; the handlebar locking actuator operates to unlock the handlebar when both the IDs are coincident; the detection switch outputs a detection when the remote control unit is immobilizingly placed in the remote control unit holder; and the controller permits starting of an engine of the motorcycle when the controller receives the detection signal from the detector and when the main switch is operated – are added to define additional aspects of the claimed invention.

New dependent claims 14 and 15 define further aspects of the remote control unit of claim 13; and new dependent claims 17-20 define further aspects of the remote control unit holder and the remote control unit of claim 16.

Applicant respectfully submits that these new claims are fully supported by the original disclosure (specification, paragraphs 0031-0047 and Figs. 3, 5, 5A, 5B and 6). For example, in relation to claim 16, paragraph 0033 of the specification discloses that: Figure 3 is a block diagram showing one embodiment of the handlebar locking module 12. The handlebar locking module 12 includes the remote control holder 24, a controller, a handlebar locking actuator and a handlebar locking mechanism.

Accordingly, applicant respectfully submits that the above amendments and new claims are fully supported by the original disclosure including drawings, and that no new matter is introduced into the application by the above amendments and new claims, and respectfully requests that the

rejection be reconsidered and withdrawn.

Claim Objections

In the Office Action (page 2), claim 1 has been objected for a typographical informality, and claim 12 has been objected for its misnumbering, which numbering was corrected by the Examiner.

Applicant's Response:

In view of the above amendments, applicant requests reconsideration and withdrawal of the objections.

Claim Rejections – 35 USC §103 (a)

In the Office Action, claims 1-7 and 9-11 are rejected under 35 USC §103 (a) as being unpatentable over Yoshida et al. (US 5,343,077) in view of Perillat et al. (US 6,434,983); claim 8 is rejected under 35 USC §103 (a) as being unpatentable over Yoshida et al. in view of Perillat et al. and in further in view of Tatsukawa et al. (US 6,710,700); and claim 12 is rejected under 35 USC §103 (a) as being unpatentable over Yoshida et al. in view of Perillat et al. and in further in view of Solow (US 5,469,135).

In his rejection of claim 1, the Examiner states that Yoshida et al. disclose all features of the claimed anti-theft device except a detector that is provided with the holder. Further, the Examiner states that Perillat et al. teach a detector that is provided with the holder, and therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to add a detection means (a detector) to detect the presence of a key in a slot (holder) for the insertion of a mechanical key switch of Yoshida et al.

Applicant's Response:

Upon careful consideration and in light of the above amendments, applicant respectfully

traverses such rejections and submits that each of present claims 1-7 and 9-11 is clearly patentably distinct over the disclosure of Yoshida et al. in view of Perillat et al. for reasons given below.

Initially, applicant respectfully traverses the rejection of claim 1 because the Examiner's proposed modifications to the electrical power supply control device of Yoshida et al. to include select features of an electronic key of Perillat et al. are improperly based on suggestions coming entirely from the Examiner (guided by impermissible hindsight of applicant's disclosure), rather than on any teaching or suggestion which may be fairly gleaned from the actual disclosures of the references.

For example, the control device of Yoshida et al. does not include a holder, for securely holding a remote control unit therein, provided on the motorcycle, unlike Perillat. Rather, the control device of Yoshida et al. only includes a slot for insertion of a mechanical key switch 7 (col. 4, lines 13-26). As such, persons of ordinary skill in the art would find it unnecessary and impossible to include a detection means of Perillat et al. in Yoshida et al.'s system without violating or destroying Yoshida et al.'s actual disclosed invention. Particularly, such persons would recognize that vehicles conventionally include some type of detection device which actuates a dashboard light, headlight, buzzer etc. when the ignition key is inserted in the ignition slot. Thus, there is no need for further detection. Also, the ignition key of Yoshida et al. is a conventional mechanical device, separate from any remote control unit, and therefore, placing the detection means of Perillat et al. in the slot for the mechanical key would not detect the presence of remote control unit, as claimed, in the slot/holder.

Moreover, applicant respectfully submits that even if the disclosures of Yoshida et al. Perillat were hypothetically combined, any resulting combination would fail to achieve the claimed invention.

Thus, the Examiner fails to establish prima facie obviousness for rejection of claim 1, and

therefore, claim 1 is believed to clearly patentably distinct over the applied references, considered either singly or in combination. Also, in order to expedite the prosecution of the application, applicant has amended claim 1 to include further aspects of a remote control unit and a remote control unit holder.

Particularly, claim 1 has been amended to include the remote control unit holder having an elongated slit which holds and encloses at least half of the elongated portion of the remote control unit therein. Such features of the remote control unit and the remote control unit holder are very advantageous because the remote control unit holder holds and encloses substantial portion of the remote control unit therein without requiring additional means to securely holding the remote control unit when operating the vehicle including starting of the vehicle. Further, enclosing more than half of the elongated portion of the remote control unit in the remote control unit holder prevents damage to the remote control unit from wind, rain and roadside material, etc., while operating the vehicle.

Regarding dependent claims 2-7 and 9-11, applicant notes that the rejection of these claims is further unfounded for at least the reasons provided below.

For example, Yoshida teach a mechanical key and Perillat et al. teach an electronic key. However, these references, considered either singly or in combination, fail to disclose that one of the remote control and the holder includes a cutout; and the other of the remote control and the holder include a fitting part which securely fits into the cutout when the remote control unit is held by the holder, as required by claim 3, and that engagement between the fitting part and the cutout securely maintains the remote control in the holder while the motorcycle is running, as required by claim 4. Also, the applied references fail to teach the claimed invention as recited in each of claims 5-7 and 9-11.

Regarding claim 8, applicant notes that Tatsukawa et al. teach electronic key transmitter 1

for performing verification/detecting process repeatedly (col. 10, lines 36-60). However, the total combination of claim 8 is not taught by the applied references, considered either singly or in combination. For example, Tatsukawa fails to overcome the deficiencies of Yoshida et al. and Perillat et al. as discussed above.

Regarding claim 12, applicant notes that Solow fails to teach a mechanism for providing an audible indication when the remote control is extracted from the holder, as recited in claim 12. Rather, he teaches a security device 10 having an alarm circuit 30, for sensing tampering with the vehicle, mounted within a housing rigidly attached to a U-shaped member 12, and the circuit 30 includes a high intensity lamp 64 and a sounding device 58.

Thus, the Examiner fails to establish prima facie obviousness for rejection of each of claims 2-12, and therefore, these claims are believed to be clearly patentably distinct over the applied references.

For all of the foregoing reasons, applicant requests consideration and withdrawal of the rejection of claims 1-12 under 35 USC § 103(a).

Other Matters

The additional references cited by the Examiner on the form PTO-892 included with the Office Action – US Patents 6,525,433 to Enoyoshi et al.; 6,040,763 to Nakajima; 6,028,507 to Banks et al.; 5,982,295 to Goto et al.; 5,745,026 to Kokubu et al.; and 4,898,010 to Futami et al. – have been considered by applicant. However, it is respectfully submitted that these additional references fail to overcome the deficiencies of the applied references of Yoshida et al., Perillat et al. Tatsukawa et al. and Solow as discussed in relation to claims 1-12, hereinabove.

New claims 13-20 are believed to be patentably distinct over disclosures of the references of record based on the foregoing arguments relating to claim 1, and based on the merits of the additional features set forth in these new claims.

Conclusion

In conclusion, applicant has overcome the Examiner's objections and rejections as presented in the Office Action; and moreover, applicant has considered all of the references of record, and it is respectfully submitted that the invention as defined by each of present claims 1-20 is patentably distinct thereover.

Applicant respectfully submits that all of the above amendments and new claims are fully supported by the original application. Applicant also respectfully submits that the above amendments and new claims do not introduce any new matter into the application.

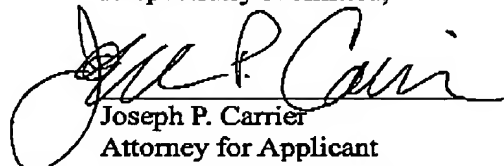
The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that he telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable reconsideration is respectfully requested.

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I hereby certify that this correspondence is being transmitted via facsimile to the US Patent & Trademark Office, Art Unit 2635, on 6 December 2005, at the number (571) 273-8300.



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